

APPLICATION PACKET FOR REZONING

This packet contains information and the form necessary to apply for reassignment of zoning classification:

- Requirements for Submitting a Rezoning Request
- Application for Rezoning
- Zoning Commission Meeting Dates and Deadlines for Application
- Summary of Zoning Districts and Permitted Uses
- ARTICLE X of the Zoning Ordinance

APPLYING FOR A REZONING:

INITIAL MEETING WITH ZONING STAFF – Before initiating a request for rezoning, it is important that applicants meet with the Zoning Coordinator, and/or other staff as necessary, for review of all requirements and procedures.

PREPARATION OF A REQUEST – Requirements for a rezoning request are explained in detail in this packet. Please note: *A registered surveyor or civil engineer must prepare the area map (or “plat”) specifically for the rezoning request. An existing plat may not be used.*

MEETING FOR APPLICATION REVIEW – When a request is ready to be submitted, it must be reviewed and approved by the Zoning Coordinator or the Development Manager in the Department of Planning, Zoning, and Codes.

To schedule meetings regarding rezoning applications, or for any questions, contact Martin Griggs, Zoning Coordinator, at 337-291-8426, or Jim Parker, Zoning Manager, at 337-291-8428.

REQUIREMENTS FOR SUBMITTING A REZONING REQUEST

- 1) APPLICATION FOR REZONING: Typed, or printed clearly, filled out completely.
- 2) AREA MAP (PLAT):
 - a) Three (3) copies, drawn to a scale appropriate to the subject property (usually a minimum of 1" = 50') with graphic scale, north arrow, and vicinity map. The plat shall include:
 - i) For the subject property, existing zoning, all lots with dimensions and area, streets, street names, and other pertinent features – such as coulees, ditches, easements, buildings, structures, etc.;
 - ii) Dimensions and zoning of each adjacent lot or tract and property owners of record (with mailing addresses);
 - iii) Owners (with mailing addresses) of properties immediately adjacent to those properties – one removed from subject property.

In determining adjacent and second adjacent properties, property directly across a public or private road shall be treated as adjacent property.

Property ownership and mailing addresses shall be as per the most recent records of the Lafayette Parish Tax Assessor.

- b) Property Owner Information – Names and addresses for owners of all adjacent and second adjacent properties. Send to mgriggs@lafayettela.gov by e-mail or provide on diskette or CD formatted for Avery 5160 mailing labels.
- 3) LEGAL DESCRIPTION of the subject property.
- 4) APPLICATION FEE – A non-refundable fee of \$500 plus an amount equal to current United States Postal Service charges for Certified Mail with return receipt for each adjacent and second adjacent notice. The current fee (as of January 2014) is \$6.48 per notice.
- 5) SITE PLAN, if Conditional Rezoning is requested:

Three (3) copies drawn to a scale appropriate to the subject property (usually a minimum of 1" = 50') with graphic scale and north arrow, adjacent and abutting streets and rights-of-way, and proposed development of the site, including dimensions.

**LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT
APPLICATION FOR REZONING**

1. Owner's Name: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Phone: Daytime: _____ Cell: _____ Fax: _____

Email: _____

2. Applicant (if different from owner) or Owner's Authorized Representative (Agent)

Name: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Phone: Daytime: _____ Cell: _____ Fax: _____

Email: _____

3. General location and/or street address of property: _____

4. Present Zoning: _____ Requested Zoning: _____

5. Area of Property (in acres or square feet): _____

6. Reason for rezoning request and proposed use of property (be as specific and detailed as possible):

CERTIFICATION

Owner hereby certifies that he is the owner of the subject property, and owner, and owner's representative if applicable, declares that the statements made on this application are true and correct to the best of his knowledge and that the development shall comply with all City-Parish Regulations and Ordinances. By filing an application for rezoning, the applicant agrees to allow employees of the Lafayette City-Parish Consolidated Government, or their agents, to enter the property proposed for rezoning for inspection and to install, maintain, and remove zoning notification signs, as required in the Zoning Ordinance. When signed below by owner, any Agent herein below designated is hereby appointed by owner and agrees to represent the owner(s) at the Zoning Commission's hearing of this application.

Owner _____ Date _____ Witness _____
Signature (Must be signed)

Applicant/
Auth. Agent _____ Date _____ Witness _____
Signature (if Agent is designated)

LAFAYETTE CONSOLIDATED GOVERNMENT

2015 ZONING COMMISSION MEETING DATES

Deadline for Rezoning Application	<u>MEETING DATE</u>
<i>December 17, 2014</i>	January 26, 2015*
<i>January 14, 2015</i>	February 23, 2015
<i>February 4, 2015</i>	March 16, 2015
<i>March 11, 2015</i>	April 20, 2015
<i>April 8, 2015</i>	May 18, 2015
<i>May 6, 2015</i>	June 15, 2015
<i>June 10, 2015</i>	July 20, 2015
<i>July 8, 2015</i>	August 17, 2015
<i>August 12, 2015</i>	September 21, 2015
<i>September 9, 2015</i>	October 19, 2015
<i>October 28, 2015</i>	December 7, 2015*

* Meetings are scheduled the 3rd Monday of each month, with the exception of holiday conflicts and a combined November/December meeting between the Thanksgiving and Christmas Holidays.

LAFAYETTE ZONING ORDINANCE**SUMMARY OF ZONING DISTRICTS**

R-1-A (Single-Family Residential)	Most restricted zoning classification. Requires a minimum lot size of 8,500 square feet.
R-1-B (Single-Family Residential)	Same permitted uses as R-1-A; however, minimum lot size required is 7,000 square feet.
R-1-C (Single & Two-Family Residential)	Same permitted uses as R-1-B, with minimum lot size of 4,500 square feet; plus allows construction of duplexes, with minimum lot size of 5,000 square feet.
R-2 (Multifamily Residential)	Allows single-family dwelling units, plus apartments and group homes.
* R-3 (Mobile Home Park)	Allows mobile home parks. Minimum size for development is ten acres.
* R-4 (Condominium, Townhouse, Zero Lot Line Home)	Allows condominium, townhouse, and patio home (both attached and detached) developments.
* TND Traditional Neighborhood/New Urbanist Development	Mixed use, compact development. Minimum size for development is fifty acres.
* B-1-M (Business-Medical)	Allows professional medical office development.
* B-1-O (Business-Office)	Allows office development. Includes substantial open space requirements.
B-N (Neighborhood Business)	Allows single and two-family residences, as well as neighborhood service-oriented businesses and office space.
B-1-L (Limited Business)	Allows uses in R-2 and B-N except sandwich and hamburger shops, as well as additional commercial uses compatible with adjacent and nearby residential development.
B-T (Transitional Business)	Allows uses in B-1-L, plus restaurants (including drive-thru), expanded retail establishments, gasoline sales, package liquor sales, banks, and hospitals.
B-2-I (Intermediate Business)	Allows uses in B-T, plus franchised automobile dealerships, department stores, dry cleaners, and paint stores.
B-G (General Business)	All uses in B-2-I, plus large retail establishments, hotels, bars, and commercial amusements.
CBD (Central Business District)	All uses in B-G (except bars); limited to the Downtown area. No minimum yard area or on-site parking.
I-1 (Light Industry)	All legal uses of land permitted, except basic industrial processing.
I-2 (Heavy Industry)	All uses in I-1 (except residences), plus basic industrial processing.
GAD (Growth Area District)	<u>No new uses are allowed.</u> This is a holding pattern to regulate development of property for which no development plans exist at the time of annexation.

* Special Zoning Districts, except R-4, require site plan approval from the Zoning Commission.

LAFAYETTE ZONING ORDINANCE
PERMITTED USES
Business and Industrial Zoning Districts

B-N (Neighborhood Business)

All uses in R-1-C. Additional uses are barber shop, beauty shop, bookstore, business or professional office, camera and photographic supply store, candy store, coffee and/or pastry shop, commercial child care facility, convenience store (excluding gasoline and diesel sales), cosmetic store, drug store (with drive-thru for pharmaceutical products only), floral shop, gift shop, hamburger and/or sandwich shop, hobby supply store, ice cream parlor, laundry (self-service), music store, newsstand, picture framing store, pick-up station (laundry and/or dry cleaning), shoe repair, tobacco store. Open outside storage of goods and/or supplies is prohibited in this district. Drive-in and drive-through establishments are prohibited, except as noted above.

B-1-L (Limited Business)

All uses in R-2 and B-N (excluding hamburger shop and/or sandwich shop). Additional uses are antique shop, apparel and accessory shop, art gallery, dance studio, interior decorator, jewelry manufacturing, jewelry store, personal service shop, seamstress or dressmaker or tailor, and stationery store. These uses are permitted provided that no goods or merchandise or materials shall be stored or displayed outside a building, and no sound shall be amplified outside the confines of a building. Drive-in and drive-through establishments are prohibited, except as specifically permitted.

B-T (Transitional Business)

All uses in B-1-L. Additional uses are animal hospital (A), bakery, bank, business and/or professional college, catering shop, clinic, dairy product sales, delicatessen, diaper service, drive-thru establishment, dry goods store, fix-it shop, fruit and/or vegetable stand, funeral home, furniture repair, gasoline or diesel fuel sales (with restrictions), grocery store, gymnasium, haberdashery, hardware store (retail), hospital and/or sanitarium, hotel (small), leather store, liquor sales (package), loan office, nursing or convalescent home, office supply, optical and/or surgical supply store, parking garage or lot, printing and graphics, radio and television broadcasting studio, reducing salon and/or health club, restaurant, self-service storage facility (with restrictions), shoe store, sporting goods store, studio for professional work or teaching, tailor shop, theater, toy store, uniform sales, variety sales, YMCA/YWCA. Open outside storage of goods and/or supplies is prohibited in this district. Drive-in establishments are prohibited.

B-2-I (Intermediate Business)

All uses in B-T. Additional uses are appliance store, automobile dealership (franchised, with related services), department store, dry cleaners, garden supply store, paint store, post office, and public office (state, local, and federal).

B-G (General Business)

All uses in B-2-I. Additional uses are air conditioning sales and service, amusement (commercial), animal hospital (B), auditorium, automobile parts sales, automobile and truck sales, rentals or repairs, automobile service station and/or repairs, carwash (with restrictions), drive-in establishment, electric contractor and wholesaler, electric repair station, exterminator, glass store, hotel and/or motel, laundry, lounge or barroom, marine store, mobile home park, motorcycle sales and service, pawn shop, pet store, plumbing shop, publishing, public building (city, parish, state and federal), radio and television broadcasting studio and transmitter, radio and television repair, restaurant supply sales, retail manufacturing, seafood market, sign shop, storage garage, taxidermist, trailer sales, travel trailer park, warehousing.

C-B-D (Central Business District)

All uses in B-G, except bar or lounge. Additional uses are retail trade and service use, light manufacturing, wholesale uses, detention or penal institution.

I-1 (Light Industry)

All uses in C-B-D. Additional uses include airport and/or dusting service, archery range, armory, bakery (wholesale), bar or lounge, battery manufacturing, beverage manufacturing, bulk plant (petroleum), canvas products manufacturing, carting (including express, crating, hauling, and storage), cemetery and mausoleum (with restrictions), clothing manufacturing, coffee roasting, cold storage plant, concrete and concrete product manufacturing, contractor (including storage yard for equipment, materials, supplies and/or vehicles), cosmetic manufacturing, creamery, dairy equipment sales, dog pound, drug manufacturing, dry goods (wholesale and manufacturing), electric power generating station, electroplating, elevator maintenance and service, farm equipment and supplies sales, feed store, feed locker plant, food manufacturing, food wholesale and storage, freight depot (railway and truck), frozen food plant, fruit and produce (wholesale), fur dyeing (including finishing and storage), glass manufacturing, hardware (manufacturing, storage, and wholesale), hatchery, hosiery mill, ice cream manufacturing, ice manufacturing, lumber yard and building materials, machine shop, machinery tools (construction equipment sales and service), mattress factory, metal sharpening, millinery manufacturing, mill work and similar woodwork manufacturing, novelty manufacturing, oil company (drilling and exploration), oil field service company, oil field supplies and machinery, packing, painting and decorating contractor, paper product manufacturing, paper supplies (wholesale), passenger depot, pipe storage, plastics fabrication, poultry storage and dressing, printing supplies manufacturing, railroad facilities, riding academy, roofing and sheet metal shop, rug cleaning, sand and gravel storage yard, seed and feed store, shoe wholesale and manufacturing, sporting goods (wholesale), stone cutting, toy manufacturing, trade school, transit vehicle storage and servicing, truck stop (with restrictions), venetian blind and metal awning (fabrication and cleaning), water distillation, welding shop, well drilling company (water).

I-2 (Heavy Industry)

All uses in I-1, with the exception of dwellings, which are not permitted.

ARTICLE X – AMENDMENTS AND PETITIONS

SECTION 1 – INITIATION OF AMENDMENTS: The City-Parish Council may, from time to time, amend, supplement, or change the regulations, restrictions, or boundaries herein or subsequently established. Such amendment, supplement, or change may be initiated:

- I. By action of the City-Parish Council itself by introduction of an ordinance or by adoption of a motion.
- II. By recommendation of the Zoning Commission.
- III. By petition of property owners.

Such amendments shall be effective only if the prescriptions as set forth herein are subscribed to.

SECTION 2 – FINAL REPORT FROM ZONING COMMISSION REQUIRED: The City-Parish Council shall take no amendatory action nor shall any amendment to this Ordinance be effective until the City-Parish Council has received the final report of the Zoning Commission. Said report shall contain the recommendation of the Commission relative to the amendment and its reasons for making such a recommendation. The report shall be filed with the City-Parish Council within 45 days after the date of the public hearing held to consider the amendment. Failure to do so shall constitute cause for the City-Parish Council to take action on the amendment independent of the receipt of the final report.

SECTION 3 – PUBLIC HEARING REQUIRED: The Zoning Commission shall not file a report recommending amendments to this Ordinance, nor shall the City-Parish Council take amendatory action, nor shall any amendment be effective unless the Commission has held a public hearing upon the proposed amendment at which parties in interest have an opportunity to be heard. Said hearing may be called by the Zoning Commission upon its own initiatives; additionally it shall be called upon direction of the City-Parish Council or upon receipt of a petition from a property owner.

SECTION 4 – NOTIFICATION OF PUBLIC HEARING REQUIRED: No public hearing shall be held to consider a proposed amendment to this Ordinance unless notification of said hearing is given in accordance with the prescriptions set forth as follows:

- I. Hearing to consider proposed amendment initiated by petition of a property owner, Zoning Commission, or City-Parish Council. Notification of a hearing to consider an amendment to this Ordinance by a property owner, Zoning Commission, or City-Parish Council must be given as follows:
 - A. Notice of the proposed change and of the time and place of the hearing shall have been published once a week in three different weeks in the official journal of the Lafayette Consolidated Government. At least 15 days shall elapse between the first publication and the date of the hearing.

- B. Except for annexations, one or more signs be placed on the street right-of-way nearest the property every 500 linear feet of the property frontage on or before the first date of publication before the meeting, to give notice to the public of a proposed zoning change or variance request. For annexations, signs need not be placed in the interior of the annexation area.
- C. The advertisement, as per requirements of the State Law, be adhered to.
- D. The sign is to state that the property upon which it is erected, is being considered for rezoning/variance with a telephone point of contact within the Lafayette Consolidated Government, Department of Planning, Zoning, and Codes.
- E. The Department of Planning, Zoning, and Codes, will be required to mail out notices, by certified letter, of the public hearing to all of the immediate adjacent property owners of record and the owners of the property immediately adjacent to that property as per the latest tax assessor's tax rolls. (The property directly across the public road from the reclassification site will be treated as adjacent property.)
- F. The mail out to the immediately adjacent property owners and the owners of the property immediately adjacent to that property of the notice of the public hearing must be sent out at least seven days prior to the date of the public hearing.

SECTION 5 – PROCEDURE FOR FILING PETITION: A petition by a property owner for an amendment of this Ordinance shall be filed with the City-Parish Council through the Zoning Commission. In filing such a petition, the following prescriptions shall apply:

- I. Hearings on petitions for amendments to this Ordinance will be held at least three times yearly. Dates of said meetings will be at the discretion of the Zoning Commission. Action will be taken on petitions which have been filed at least 40 days prior to the date of a scheduled hearing.
- II. No petition for amendment to change a zoning classification shall be filed unless such petition is duly signed and acknowledged by the owner, or authorized agents of not less than 50 percent of the area of land for which a change of classification is requested provided, however, that where any lot located in the aforesaid area is owned in division, all co-owners must sign the petition for that lot to be included in the 50 percent area provision.
- III. Each petition for rezoning or variance shall be accompanied by three copies of a map drawn by a land surveyor registered in the State of Louisiana, to an approximate scale of one inch equals 50 feet, showing the dimensions of each lot or tract and property ownership of all immediate adjacent property owners of record as per the latest tax assessor's tax rolls. (The property directly across the public road from the reclassification site will be treated as adjacent property.) All adjacent property owners will be notified by certified letter. This map shall show all lots, streets, street names, and dimensions, existing zoning, and any other pertinent feature, such as coulees, ditches, easements, etc. By filing a petition for rezoning, the petitioners consent to allow employees of the Lafayette Consolidated Government or agents thereof to enter the property being petitioned for rezoning, for the purpose of installation, maintenance, and removal of zoning signs. The petitioner shall furnish a copy of the subdivision covenants, if any, affecting the property under consideration for rezoning, and shall certify that said covenants are currently in effect at the time of filing.

- IV. Each petition for a text change in the Ordinance not involving acreage shall be accompanied by an application fee of \$100.00. Each petition for proposed change of zoning classification of land acreage shall be accompanied by an application fee of \$500.00, plus an amount equal to current United States Postal Service charges for each notice required to be made by Certified Mail. The application fees may be published in the "Fee Schedule" of the Lafayette City-Parish Consolidated Government Planning, Zoning and Codes Department.

Under no condition shall said fee or any part thereof be refunded by reason of failure of said proposed change of zoning to be adopted by the Lafayette City-Parish Council.

- V. Whenever a petition is filed requesting an amendment to the Ordinance, and said petition has been finally acted upon by the City-Parish Council, or when said petition has received no action on the part of the City-Parish Council, within 90 days, or when said petition has been officially advertised for public hearing before the City-Parish Council but has subsequently been withdrawn, then the City-Parish Council shall not consider any further landowner's petition requesting or proposing the same or less restrictive amendment for the same property within a period of two calendar years. This two-year period shall begin the date of the City-Parish Council's final legal action on said petition or the date of the expiration of the aforesaid 90-day period in case action has not been taken by the City-Parish Council, or the date of withdrawal of said officially advertised petition. This provision shall not apply in cases where the City-Parish Council wishes to consider a comprehensive zoning revision of an area larger than 20 acres.

SECTION 6 – AMENDATORY ACTION BY THE CITY-PARISH COUNCIL WITHIN 90 DAYS FROM RECEIPT OF FINAL REPORT: If the City-Parish Council decides to amend this Ordinance, it shall do so within 90 days from the date upon which the Zoning Commission files the final report with said Council.

SECTION 7 – CONDITIONAL REZONING: The City-Parish Council, upon the recommendation of the Zoning Commission, may provide for a conditional rezoning of property for a specified use, which conditional rezoning shall be effective only for so long as said property is continuously used, without interruption, for a period exceeding one year in accordance with the plans, plat, use restrictions, and other criteria recommended by the Zoning Commission and adopted by the Council.

- I. In cases where a building or buildings exist and there is no proposed new construction, the applicant shall submit to the Zoning Commission an application stating the proposed use of the property.
- A. The Zoning Commission may recommend a time limit within which the applicant shall apply for a Certificate of Occupancy in conformity with the proposed use, which time limit shall be not less than three months nor more than six months from the final decision of the Council.
- B. In the event that the applicant ceases to use the property for the specific purpose for which application has been made and such cessation of use continues for a consecutive one year period, the property shall, without any action on the part of the Council or any other governing authority, revert to its original zoning classification.

- II. In cases where new construction is proposed, the Council, upon the recommendation of the Zoning Commission, may, in addition to any of the requirements set forth herein, require that a plan of the site be approved by the Commission and Council and filed with the Zoning Administrator and Codes Division. All improvements to the site shall be constructed in conformity with the approved plan and completed before expiration of such time period as may be set by the Council.
- A. The time limit shall be no less than six months nor more than 18 months, unless for good cause shown, the Council elects to provide a longer period.
 - B. Any plan required by the Council may include, but shall not be limited to, a floor plan, elevations, site plan, plot plan, and such other items as may be required by the Council.
 - C. The Council shall have the right to impose additional restrictions upon the use of the property, over and above the restriction that the property be used only for a specified use, including, but not limited to, restrictions relative to the site plan and any future modifications thereto, setback requirements, and such other restrictions as the Council may feel appropriate in order to permit the conditional zoning.
 - D. If, at the end of the set period, construction is not complete, the time period may be extended by three months if substantial progress is made as determined by the Zoning Administrator. Securing a permit for construction does not constitute substantial progress.
 - E. Use of the subject property shall be limited to that use for which the applicant has made application and, in the event of a cessation of such use for a consecutive period of one year, the property shall, without any action on the part of the Council or any other governing authority, revert to its original zoning classification.